

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

XPO CNW, INC., et al.,)
)
Plaintiff-Counterclaim Defendants,) Case No. 2:16-cv-10391-RHC-SDD
)
v.) Hon. Robert H. Cleland
)
R+L CARRIERS, INC., et al.,) STIPULATED PRELIMINARY
) INJUNCTION ORDER
Defendants-Counterclaim Plaintiffs.)
)
)

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs XPO CNW, Inc. and XPO Logistics Freight, Inc. (“Plaintiffs”), and Defendants R+L Carriers, Inc. (“R+L”), James Matthews, Shawn Thackray, and Jill Langley (the “Individual Defendants”) (collectively “Defendants”) hereby agree to preliminary injunctive relief as follows:

IT IS HEREBY AGREED that R+L and the Individual Defendants and all those acting in concert with them shall be preliminarily ordered, enjoined, and restrained in the following manner.

- 1) R+L, by agreement, shall not operate a website under the URL
<http://www.conwaylayoff.com>;
- 2) Defendants, by agreement, shall quarantine and not disclose, use, or disseminate originals, copies, summaries, or contents of any paper, or electronic documents of Plaintiffs’ that the Individual Defendants obtained during and/or retained following their employment with Plaintiffs;
- 3) Defendants, by agreement, shall preserve all such information for purposes of this litigation and shall provide the Plaintiffs with a copy of all such information-within 14 days of this Order;

- 4) Any party may at any time seek to expand or contract the scope of this Order if evidence produced in discovery or otherwise warrants such a modification;
- 5) This Agreed Preliminary Injunction shall not be construed as an admission by the Defendants as to liability or any aspect of the Plaintiffs' claims. Defendants have reserved all of their rights to challenge the entirety of the Plaintiffs' claims. Defendants expressly (i) deny that Plaintiffs can prove that any of information at issue in this case is confidential information or a trade secret, (ii) deny that they have in their possession any confidential information or trade secrets of Plaintiffs, and (iii) deny that they have used any confidential information or trade secrets of Plaintiffs. Plaintiffs' entry into this stipulation is neither an endorsement nor an acceptance of Defendants' position regarding the viability of Plaintiffs' claims.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 17, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 17, 2016, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

STIPULATED AND AGREED TO:

/s/ Robert Hugh Ellis

Patrick F. Hickey (P36648)
Robert Hugh Ellis (P72320)
Matthew Dybas (P79983)
Dykema Gossett PLLC
Attorneys for Plaintiffs
400 Renaissance Center
Detroit, MI 48243
(313) 568-6800
phickey@dykema.com
rellis@dykema.com
mdybas@dykema.com

/s/ Kevin N. Summers (with consent)

Anthony C. White (pro hac vice
application pending)
David J. Carey (pro hac vice application
pending)
Thompson Hine LLP
Attorneys for Defendants
41 South High Street, Suite 1700
Columbus, Ohio 43215
Tel: (614) 469-3200
Fax: (614) 469-3361
Tony.White@ThompsonHine.com
David.Carey@ThompsonHine.com

Kevin N. Summers
Dean & Fulkerson, P.C.
801 W. Big Beaver Road, Suite 500
Troy, MI 48084
Tel: (248) 362-1300
Fax: (248) 362-1358
ksummers@DFLaw.com